REMARKS

Claims 1-6, 10, and 12-15 are pending, with claim 1 being independent claim. Claims 7-9 and 11 are withdrawn.

The disclosure stands objected to because a cylinder, as disclosed on page 8, paragraph [0035] was misnumbered. An appropriate correction has been made. Withdrawal of the objection is respectfully requested.

Claims 1-6, 10, and 12-15 stand objected to because of a few informalities noted by the Examiner. Claims 1, 12, 13, and 15 have been amended to obviate the basis for the Examiner's objection, which is respectfully requested to be withdrawn.

Claims 1-4 and 13 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,477,589 (Lan).

The vibration damper of the present invention has a structure providing for smoothing of a damping force characteristic when first and second valve disks 19, 21 enter an enlarged or bypass region provided in a cylinder 3. See Specification, page 4, paragraph [0003]. This is achieved by increasing the cross-section of the surface of the valve disks 19 and 21 acted upon by a damping medium when the disks travel in one or the other direction.

For example, when the disks travel towards a working space 7, only one area 37 of trailing disk 19 is acted upon by the damping medium, which flows from space 7 to a space 9, while the leading disk valve 21 passes through a relatively narrow region of cylinder 3. Once leading valve 21 enters the bypass region, the surface of trailing valve disk 19, acted upon by the damping medium flowing in the same direction, is enlarged because of an additional area 51 added to area 37. Analogously, when the valve disks are guided towards working space 9, the valve disk 21, which is a trailing disk, has a surface with a greater cross-sectional area 39+53

acted upon by the damping medium when leading disk 19 travels through the enlarged or bypass region of the cylinder. Once the leading disk 19 enters the relatively narrow region of the cylinder, only one area 39 of disk 21 is acted upon by the damping medium. See Specification, p. 4, paragraph [0004]. Thus, the same surface of the piston has two adjacent areas, only one of which is acted upon by the damping medium flowing in one direction when the piston passes through a relatively narrow region of the cylinder. As the piston enters the enlarged region of the cylinder, the first and second areas together are acted upon by the damping medium flowing in the same one direction.

In view of the foregoing, amended claim 1 recites "a second pressure actuated surface ... acted on by damping medium flowing in said first direction via the bypass so that the pressure on the first and second pressure actuated surfaces of said first valve disk is additive." The "first direction" of is the same for both pressure actuated surfaces.

Lan teaches a rotatable piston head (42), a through-channel (423', 431') traversed by a damping medium which acts upon one of opposite axial surfaces of a washer/valve disk (435, 436) during the head's travel through both relatively narrow and relatively large regions of a cylinder. In contrast to the invention as recited in amended claim 1, Lan is absolutely silent about enlarging the *same* surface of the washer as the travels through the enlarged or bypass region of the cylinder.

Accordingly, Lan fails to teach the surfaces as recited in amended claim 1, which is, thus, patentable over the applied reference.

Claims 2-4 and 13 depend either directly or indirectly from amended claim 1 and, thus, benefit from its allowability. Withdrawal of the 35 U.S.C. §102(b) rejection of claims 1-4 and 13 is respectfully requested.

Allowability of claims 5, 6, 10, 12, 14 and 15 is appreciated, but in view of the foregoing, these claims remain dependent upon amended claim 1.

Based on all of the above, it is respectfully submitted that the present application is now in proper condition for allowance. Prompt and favorable action to this effect and early passing of this application to issue are respectfully solicited.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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Dated: September 6, 2005